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PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Frank Cistone et al.

Group Art Unit: 1771

Serial No.: 10/087,212

Examiner:
Lynda Salvatore

Filed: February 28, 2002

For: MELT PROCESSABLE
PERFLUOROPOLYMER FORMS

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AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INTRODUCTORY COMMENTS

This is submitted in response to an official action having a mailing date of 23 April 2004 in which the examining attorney stated that claims 1 through 30, 35 through 38 and 48 through 77 are pending in the application and that of those claims, claims 1 through 8, 11, 31 through 34, 22 through 28, 52 through 54, 59 through 64 and 65 through 77 were withdrawn from consideration.

The examiner further stated that claims 9, 10, 12 through 21, 29, 30, 48 through 51, 57 and 58 were rejected.

The examiner further repeated and adhered to a previous restriction requirement noting that applicant had previously elected, with traverse, the claims of Group II for immediate prosecution in the event the restriction requirement is not withdrawn. The examiner still further noted that the examiner had erred in making the restriction requirement with respect to the grouping of claims 9 and 10 and noted that claims 9 and 10 should have been grouped with the Group II claims. Accordingly, the examiner stated that claim 9 and 10 would be examined with the Group II claims 12 through 21, 29, 30, 48 through 51 and new claims 57 and 58. As a result, a new restriction requirement was set forth, with three groups of claims.

Under the new restriction requirement claim Group I consists of claims 1 through 8, 11, 31 through 34 and 59 through 64, purportedly drawn to textured yarns, staple fibers or single and/or multi-component yarns allegedly fell within class 428, subclass 357 et seq.

Claim Group II, consisting of claims 9, 10, 12 through 21, 29, 30, 48 through 51, 57 and 58 all purportedly drawn to nonwoven fabric classified in class 442, subclass 327 et seq., constituted a second claim grouping.

The third claim grouping consisting of claims 22 through 28, 52 through 54 and 65 through 77 all purportedly drawn to filtration and coalescing media classified in class 210 and various subclasses therefrom.

Applicant again traverses the restriction requirement, again requests reconsideration of the restriction requirement and again submits that the

examiner's restriction requirement and the reasoning therefor is improper and does not comport with the requirements of the statute and the relevant rules.